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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## RAJYA SABHA

The following Bills have been introduced in the Rajya Sabha on the 9th January, 2019:—

### I

#### BILL NO. III OF 2019

*A Bill further to amend the Constitution (Scheduled Tribes) Order, 1950 to include certain Communities in the list of the Scheduled Tribes in relation to the State of Assam.*

BE it enacted by Parliament in the Sixty-ninth Year of the Republic of India as follows:—

**1.** This Act may be called the Constitution (Scheduled Tribes) Order (Amendment) Act, 2019. Short title.

C.O. 22.

**2.** In the Schedule to the Constitution (Scheduled Tribes) Order, 1950, in PART II. — Assam, in paragraph II, after entry 14, the following entries shall be inserted, namely :—

“15. Chutiya

16. Matak

17. Moran

18. Koch Rajbongshi

19. Tai Ahom

Amendment  
of  
Constitution  
(Scheduled  
Tribes) Order,  
1950.

20. Mal Paharia
21. Kavar
22. Lodha
23. Baiga
24. Nagasia
25. Bhil
26. Gorait
27. Halba
28. Majwar
29. Dhanwar
30. Asur
31. Pradhan
32. Khond
33. Korwa
34. Kherwar
35. Chero
36. Koya
37. Birhor
38. Parja
39. Mirdha
40. Kishan
41. Chik Baraik
42. Kol
43. Saora
44. Birjia
45. Damdari
46. Bonda
47. Mahli
48. Shabar
49. Kharia
50. Gond
51. Munda
52. Oraon
53. Bedia
54. Santal
55. Bhumij”.

## STATEMENT OF OBJECTS AND REASONS

Scheduled Tribes have been defined in clause (25) of article 366 of the Constitution as “such tribes or tribal communities or parts of or groups within such tribes or tribal communities as are deemed under article 342 to be Scheduled Tribes for the purposes of this Constitution.”.

2. Article 342 of the Constitution provides as under:—

“342. Scheduled Tribes.—(1) The President may with respect to any State or Union territory, and where it is a State, after consultation with the Governor thereof, by public notification, specify the tribes or tribal communities or parts of or group within tribes or tribal communities which shall for the purposes of this Constitution be deemed to be Scheduled Tribes in relation to that State or Union territory, as the case may be.

(2) Parliament may by law include in or exclude from the list of Scheduled Tribes specified in a notification issued under clause (1) any tribe or tribal community or part of or group within any tribe or tribal community, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification.”.

3. In accordance with the provision of article 342 of the Constitution, the first list of Scheduled Tribes in respect of State of Assam was notified, *vide* the Constitution (Scheduled Tribes) Order, 1950. List of Scheduled Tribes of the State of Assam has been modified through the Scheduled Castes and Scheduled Tribes Order (Amendment) Act, 1956, the North Eastern Areas (Reorganisation) Act, 1971, the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976, the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 2002 and the Constitution (Scheduled Tribes) Order (Amendment) Act, 2003.

4. At present, there are seventy-eight numbers of communities and synonyms appearing in the list of Scheduled Tribes of the State of Assam.

5. On the basis of recommendation of the State of Assam, it has been decided for inclusion of the following communities in the Schedule to the Constitution (Scheduled Tribes) Order, 1950, in Part II.— Assam, in paragraph II, after entry 14, namely:—

- “15. Chutiya
- 16. Matak
- 17. Moran
- 18. Koch Rajbongshi
- 19. Tai Ahom
- 20. Mal Paharia
- 21. Kwar
- 22. Lodha
- 23. Baiga
- 24. Nagasia
- 25. Bhil
- 26. Gorait
- 27. Halba
- 28. Majwar
- 29. Dhanwar
- 30. Asur
- 31. Khond
- 32. Korwa
- 33. Kherwar
- 34. Chero

35. Koya
36. Birhor
37. Parja
38. Mirdha
39. Kishan
40. Chik Baraik
41. Kol
42. Saora
43. Pradhan
44. Birjia
45. Damdari
46. Bonda
47. Mahli
48. Shabar
49. Kharia
50. Gond
51. Munda
52. Oraon
53. Bedia
54. Santal
55. Bhumij”.

6. Therefore, it is proposed to amend PART-II of the Schedule to the Constitution (Scheduled Tribes) Order, 1950 relating to the State of Assam to grant Scheduled Tribes status to the communities mentioned in paragraph 5.

7. The Bill seeks to achieve the aforesaid objects.

JUAL ORAM

## FINANCIAL MEMORANDUM

The Bill seeks to amend the Constitution (Scheduled Tribes) Order, 1950, by amending the list of Scheduled Tribes of Assam, as under:—

- “1. Koch Rajbongshi
2. Tai Ahom
3. Chutiya
4. Matak
5. Moran
6. Mal Paharia Tribes
7. Kwar Tribes
8. Lodha Tribes
9. Baiga Tribes
10. Nagasia Tribes
11. Bhil Tribes
12. Gorait Tribes
13. Halba Tribes
14. Majwar Tribes
15. Dhanwar Tribes
16. Asur Tribes
17. Pradhan Tribes
18. Khond Tribes
19. Korwa Tribes
20. Kherwar Tribes
21. Chero Tribes
22. Koya Tribes
23. Birhor Tribes
24. Parja Tribes
25. Mirdha Tribes
26. Kishan Tribes
27. Chik Baraik Tribes
28. Kol Tribes
29. Saora Tribes
30. Birjia Tribes
31. Damdari Tribes
32. Bonda Tribes
33. Mahil Tribes
34. Shabar Tribes

35. Kharia Tribes
36. Gond Tribes
37. Munda Tribes
38. Oraon Tribes
39. Bedia Tribes
40. Santal Tribes
41. Bhumij Tribes”.

2. The amendment in the list of Scheduled Tribes in respect of State of Assam will entail no additional recurring expenditure from Consolidated Fund of India on account of benefits likely to be provided to the persons belonging to aforementioned communities in State of Assam, out of continuing schemes meant for welfare of Scheduled Tribes. The said expenditure will be accommodated within the Annual Plan and non-Plan outlay of this Ministry.

## II

### BILL NO.IV OF 2019

*A Bill further to amend the Constitution (Scheduled Tribes) Order, 1950 to modify the list of the Scheduled Tribes in the State of Karnataka.*

BE it enacted by Parliament in the Sixty-ninth Year of the Republic of India as follows:—

**1.** This Act may be called the Constitution (Scheduled Tribes) Order (Second Amendment) Act, 2019. Short title.

C.O. 22.

**2.** In the Constitution (Scheduled Tribes) Order, 1950, in the Schedule, in Part VI.—Karnataka,— Amendment of Constitution (Scheduled Tribes) Order, 1950.

(a) in entry 38, for the words "Naikda, Nayaka", the words and brackets "Naikda, Nayaka (including Parivara and Talawara)" shall be substituted;

(b) in entry 50, for the brackets and words "(in Uttar Kannada district)", the brackets and words "(in Belagavi, Dharwad and Uttar Kannada districts)" shall be substituted.

## STATEMENT OF OBJECTS AND REASONS

Scheduled Tribes have been defined in clause (25) of article 366 of the Constitution as “such tribes or tribal communities or parts of or groups within such tribes or tribal communities as are deemed under article 342 to be Scheduled Tribes for the purposes of this Constitution.”.

2. Article 342 of the Constitution provides as under: —

“342. Scheduled Tribes.— (1) The President may with respect to any State or Union territory, and where it is a State, after consultation with the Governor thereof, by public notification, specify the tribes or tribal communities or parts of or group within tribes or tribal communities which shall for the purposes of this Constitution be deemed to be Scheduled Tribes in relation to that State or Union territory, as the case may be.

(2) Parliament may by law include in or exclude from the list of Scheduled Tribes specified in a notification issued under clause (1) any tribe or tribal community or part of or group within any tribe or tribal community, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification.”.

3. In accordance with the provision of article 342 of the Constitution, the first list of Scheduled Tribes in respect of State of Karnataka (the then State of Mysore) was notified, *vide* the Constitution (Scheduled Tribes) Order, 1950. List of Scheduled Tribes of State of Karnataka has been modified through the Scheduled Castes and Scheduled Tribes Order (Amendment) Act, 1956, the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976, the Constitution (Scheduled Tribes) Order (Second Amendment) Act, 1991, the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 2002 and the Constitution (Scheduled Tribes) Order (Amendment) Act, 2012.

4. At present, there are one hundred and six numbers of communities and synonyms appearing in the list of Scheduled Tribes of the State of Karnataka.

5. On the basis of recommendation of State of Karnataka, it has been decided for inclusion of communities, namely: (i) “Parivara” and “Talawara” at entry 38 as synonyms of “Nayaka” and (ii) “Siddi” community of Dharwad and Belagavi districts alongwith existing ‘Siddi’ Community of Uttar Kannada district at entry 50 in the list of Scheduled Tribes of the State of Karnataka. Therefore, it is proposed to amend PART-XI of the Schedule to the Constitution (Scheduled Tribes) Order, 1950 relating to the State of Karnataka to grant Scheduled Tribes status to the said communities.

6. The Bill seeks to achieve the aforesaid objects.

JUAL ORAM



## FINANCIAL MEMORANDUM

The Bill seeks to amend the Constitution (Scheduled Tribes) Order, 1950, by amending the list of Scheduled Tribes of the State of Karnataka, as under:—

“Inclusion of communities, namely (i) “Parivara” and “Talawara” at entry 38 as synonyms of “Nayaka” and (ii) “Siddi” community of Dharwad and Belagavi districts alongwith existing “Siddi” community of Uttar Kannada district at entry 50 in the list of Scheduled Tribes of the State of Karnataka”.

2. The amendment in the list of Scheduled Tribes in respect of the State of Karnataka will entail no additional recurring expenditure from Consolidated Fund of India on account of benefits likely to be provided to the persons belonging to aforementioned communities in State of Karnataka, out of continuing schemes meant for welfare of Scheduled Tribes. The said expenditure will be accommodated within the Annual Plan and non-Plan outlay of this Ministry.

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DESH DEEPAK VERMA,  
*Secretary-General.*